

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

IN RE: ETHICON, INC. PELVIC REPAIR
SYSTEMS PRODUCTS LIABILITY
LITIGATION

Master File No. 2:12-MD-02327
MDL 2327

This document applies to:

ETHICON WAVE 10 CASES LISTED IN
PLAINTIFFS' EXHIBIT A

JOSEPH R. GOODWIN U.S. DISTRICT
JUDGE

**NOTICE OF ADOPTION OF PRIOR *DAUBERT* RESPONSE REGARDING
JOHN R. WAGNER, M.D. FOR WAVE 10**

Defendants Ethicon, Inc. and Johnson & Johnson (collectively "Ethicon") hereby respond to Plaintiffs' Notice of Adoption of Prior *Daubert* Motion of John R. Wagner, M.D. for Wave 10, Dkt. 8011. Ethicon adopts and incorporates by reference the *Daubert* response in relation to Dr. John R. Wagner filed by Ethicon in Wave 6, Dkt. 4920. Ethicon respectfully requests that the Court deny Plaintiffs' motion, for the reasons expressed in its Wave 6 response briefing.

Respectfully submitted,

/s/ William M. Gage
William M. Gage (MS Bar No. 8691)
Butler Snow LLP
1020 Highland Colony Parkway
Suite 1400 (39157)
P.O. Box 6010
Ridgeland, MS 39158-6010
(601) 985-4561
william.gage@butlersnow.com

/s/ Susan M. Robinson
Susan M. Robinson (W. Va. Bar No. 5169)
Thomas Combs & Spann PLLC
300 Summers Street
Suite 1380 (25301)
P.O. Box 3824
Charleston, WV 24338
(304) 414-1800
srobinson@tcspllc.com

COUNSEL FOR DEFENDANTS
ETHICON, INC. AND JOHNSON & JOHNSON

CERTIFICATE OF SERVICE

I certify that on this day, I electronically filed this document with the clerk of the court using the CM/ECF system, which will send notification of this filing to CM/ECF participants registered to receive service in this MDL.

/s/ William M. Gage
William M. Gage